

STATE OF SOUTH CAROLINA

(Caption of Case)

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: _____ - _____ - _____

(Please type or print)

Submitted by: MIDLANDS UTILITY, INC.

SC Bar Number: 1367

Address: 816 E MAIN STREET

Telephone: 803 359 4803

LEXINGTON SC 29072

Fax: 803 359 2374

Other: _____

Email: _____

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input checked="" type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input checked="" type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Print Form

Reset Form



MIDLANDS UTILITY, INC.

816 EAST MAIN STREET • P. O. BOX 887
LEXINGTON, SOUTH CAROLINA 29072
TELEPHONE: 359-4803

December 12, 2013

Jocelyn G. Boyd, Chief Clerk
Docketing Department
Public Service Commission of South Carolina
PO Drawer 11649
Columbia SC 29211

RE: Amendment of Wholesale Wastewater Agreement with the Orangeburg
Department of Public Utilities and Midlands Utility, Inc. (Northwood Estates)
DOCKET NO. 2008-159-S, ORDER NO. 2008-396

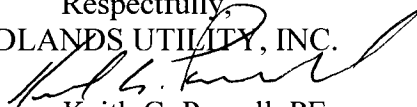
Dear Ms. Boyd:

Enclosed is an amended agreement which simply extends the term of the above contract twenty (20) months from July 1, 2013. The existing contract previously approved by the Commission will therefore end May 1, 2015 unless sooner amended or terminated.

Midlands Utility, Inc. is unable to operate this system without a contract with the City of Orangeburg, thus the extension! There exist specific financial, surety, capacity and other qualifiers that must be met by both parties.

Sufficient time has been provided for third parties to provide evidence and/or alternatives to this service agreement for sewerage treatment by Midlands Utility, Inc. with the City of Orangeburg. It is urgent that the Public Service Commission ("PSC") recognize the necessity for the wholesale agreement for treatment with that municipality.

The agenda for a new contract was filed on April 21, 2013 and further delay of that matter is also burdensome to the parties. Midlands Utility, Inc. desires clarification as to whether this contract under existing law is properly under the jurisdiction of the PSC since it involves a wholesale agreement for movement of sewerage water for treatment with a municipality.

Respectfully,
MIDLANDS UTILITY, INC.

Keith G. Parnell, PE

ORS w/encl.
Charles H. Cook, Esq.



Department of Public Utilities

City of Orangeburg
1016 Russell Street
Post Office Box 1057
Orangeburg, South Carolina 29116-1057
(803) 268-4000 • Fax (803) 531-3803

O. Thomas Miller, Jr.
Manager

October 9, 2013

Mr. Keith G. Parnell, P. E.
Midlands Utility, Inc.
Post Office Box 887
Lexington, South Carolina 29071

RE: Northwood Estates Subdivision
Wholesale Wastewater Agreement

Dear Keith:

Enclosed please find your original copy of the amended wholesale wastewater agreement for your records.

If you have any questions, please contact Randy Myers at (803) 268-4506.

Sincerely,

Richard M. Labrador, P. E.
Director
Wastewater Division

RML/ciw
WW-13-0182
Enclosure
cc w/c enclosure:
R. Myers
cc w/enclosure:
File 500-2.13

Mayor
Paul A. Miller

Members of Council
Charles B. Barnwell, Jr.
Bernard Haire
Charles W. Jernigan

Members of Council
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

RECEIVED
JUL 10 2013

STATE OF SOUTH CAROLINA)
COUNTY OF ORANGEBURG)

WASTEWATER AGREEMENT JULY 1, 2008
AMENDED JULY 1, 2013 (EXTENSION)

This AMENDMENT To Agreement dated July 1, 2008, is entered into effective July 1, 2013, and executed in duplicate (each executed copy constituting an original) between the City of Orangeburg, State of South Carolina, a municipal corporation of the State of South Carolina (hereinafter referred to as "City"), and Midlands Utility, Inc., a utility licensed under the authorities of the Public Service Commission("PSC") (hereinafter referred to as "Midlands").

WHEREAS, the City now owns, operates and maintains facilities for collecting and treating a large supply of wastewater, and

WHEREAS, Midlands owns, operates and maintains facilities for collecting wastewater from its own retail customers; and

WHEREAS, Midlands by agreement dated July 1, 2008, approved by the PSC, and by the City, now desire to amend said wastewater agreement and incorporate by reference all terms and conditions, for a period of twenty(20) months from the effective date hereof .

NOW, THEREFORE, BE IT KNOWN BY ALL MEN BY THESE PRESENTS, that

in consideration of the mutual covenants, the premises above stated and promises contained herein, the parties agree as follows:

Duration of Wastewater Agreement Dated July 1, 2008

The agreement dated July 1,2008, incorporated by reference herein as amended by the parties below, shall remain in full force and effect for a period of

twenty (20) months from the date of July 1, 2013, unless sooner terminated according to its terms or applicable law or mutual consent of the parties hereto.

Any notices required to be given hereunder shall be deemed to have been sufficiently given either party for all purposes hereof if failed by certified mail, to the following addresses:

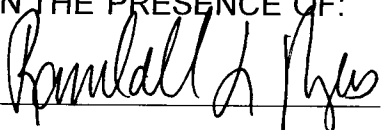

The City:
Manager
Department of Public Utilities
Post Office Box 1057
Orangeburg, South Carolina 29116-1057

Midlands:
Midlands Utility, Inc.
Post Office Box 887
Lexington, South Carolina 29071

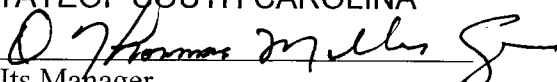
The parties hereto specifically agree that all sections, paragraphs, sentences, clauses, and phrases of this amended July 1, 2008 agreement shall remain in full force and effect according to the original agreement other than for the purpose of extension as to duration as provided for hereinabove.

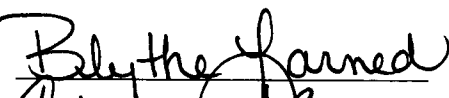

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to Agreement to be duly executed in duplicate, each of which is considered to be an original, thereby binding themselves, their successors, assigns, and representatives for the faithful and full performance of the terms and provisions of this Agreement.

IN THE PRESENCE OF:

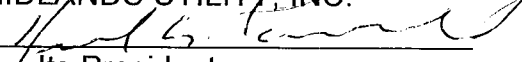



CITY OF ORANGEBURG,
STATE OF SOUTH CAROLINA


Its Manager

MIDLANDS UTILITY, INC.


Its President

CERTIFICATE OF SERVICE

RECEIVED
JAN 10 2014
PUBLIC SERVICE

The undersigned employee of Midlands Utility, Inc., does hereby certify that she has served below listed parties with a copy of the pleading(s) indicated below by mailing a copy of same to them in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

RE: Amendment of Wholesale Wastewater Agreement with Orangeburg
Department of Public Utilities and Midlands Utility, Inc. (Northwood
Estates)

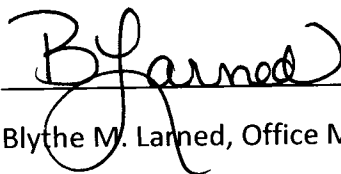
DOCKET NO. 2008-159-S

ORDER NO. 2008-396

PARTIES SERVED: Jocelyn G. Boyd, Chief Clerk
Docketing Department
Public Service Commission of South Carolina
PO Drawer 11649
Columbia, SC 29211

PLEADING: Letter

December 17, 2013



Blythe M. Larned, Office Manager/ Secretary